

[SIMILARLY-SITUATED CLASS REPRESENTATIVES' MOTION – EXHIBIT 2 OF 4]

Mike Eby
459 Queen Rd.
Gordonville, PA 17529
April 20, 2015

United States District Court for the District of Vermont
Re: NE Dairy Settlement Communication
11 Elmwood Avenue
Burlington, VT 05401

Dear United States District Court for the District of Vermont:

I am a 7th-generation Lancaster County, Pennsylvania dairy farmer and member of Land-O-Lakes cooperative, marketing Grade A milk in Federal Order 1 throughout the entirety of the time period under review of this NE Dairy lawsuit.

I stood before the court Jan 29th 2015 for the very same reason I stand before your honor today. We as dairy farmers need to have confidence that our farmer-owned cooperatives truly act in our best interests. The information that would come out in a trial, or be buried in a settlement, is vital to this confidence. It should not be an option for the defendants to pay a relatively small settlement fee for the privilege of continuing business as usual. I want to thank you for denying the previous settlement of 50 million as it fell way short of any damages.

My concern going forward however is that we may be facing the same situation during the next potential settlement. Your honor, as you had pointed out on Jan 29th after many hours of Plaintiffs and Class testimony that “This is not about the money...rather the farmer wanting their day in court”. Your honor you are exactly right. It is not about the money rather justice to be served so that we as dairy producers have a chance at a future. This is about the “books” being opened. DFA can keep the money.

Our very own lawyers do not see it this way. How are we as class to have any confidence that justice will be served if all our lawyers seek, is to settle? Unlike dairy farmers it IS about the money.

It is for this very reason alone I strongly encourage you to grant the wishes of thousands of dairy farmers and remove counsel, allowing us to seek our own counsel who “think like farmers”.

Mike Eby